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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,438	05/09/2001	Roni Even	ACC16CIP (06544.TBA)	4993
29855	7590	09/17/2004	EXAMINER	
WONG, CABELLO, LUTSCH, RUTHERFORD & BRUCCULERI, P.C. 20333 SH 249 SUITE 600 HOUSTON, TX 77070			BENGZON, GREG C	
			ART UNIT	PAPER NUMBER
			2144	

DATE MAILED: 09/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/852,438	EVEN, RONI	
	Examiner	Art Unit	
	Greg Bengzon	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 & 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This application has been examined. Claims 1 and 2 are pending.

Priority

This application claims benefit of US Patent Application Number 09/708898 (11/08/2000) and US Provisional Application 60/164298 (11/08/1999).

The effective filing date for the subject matter defined in the pending claims, as described in the parent and provisional applications, is 11/08/1999. Claims pertaining to new subject matter, as introduced in this application, have an effective filing date of 05/09/2001.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the item 142 in Figure 3, and the items described as MC (110) and MPMM (430) in Figure 5 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure

Art Unit: 2144

is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "said endpoint" in the last 2 lines of the claim.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

Art Unit: 2144

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnaswamy et al (US Patent Number 5867494) hereinafter referred to as Krishnaswamy, in view of s2 et al (US Patent Number 6738343) hereinafter referred to as s2.

With respect to Claim 1, Krishnaswamy discloses a system for controlling multimedia multipoint communication, comprising: a plurality of multimedia terminals, supporting different multimedia conferencing protocols; and a multipoint control unit in communication with said plurality of multimedia terminals for signaling and call control and in communication with at least one multipoint processor unit. (Figures 19C and 19D, Column 1 Lines 1-40, Column 9 Lines 40-50)

With respect to Claim 1, Krishnaswamy discloses at least one multipoint processor unit in communication with said plurality of multimedia terminals for media and optionally call signaling and call control and in communication with said multipoint control unit for interfacing the call signaling and the call control information between said multipoint control unit and the terminals. (Figures 19C and 19D, Column 1 Lines 1-40, Column 9 Lines 40-50)

With respect to Claim 2, Krishnaswamy discloses the system of Claim 1, wherein the multipoint processor unit in communication with at least one terminal that is not supporting H.323 is capable of demultiplexing the input from said terminal to call signaling and call control and to media and transferring the call signaling and the call control information to the multipoint control unit and receiving from the multipoint control unit the call signaling and the call control information aimed to said endpoint and multiplexing the call signaling and call control and transferring the multiplex information to said endpoint. (Figures 19C and 19D, Column 1 Lines 1-40, Column 9 Lines 40-50)

With respect to Claim 1 and 2, Krishnaswamy discloses that the MCU is comprised of the Multipoint Controller and the Multipoint Processor and together provides multipoint control and processing services for video-conferences. The multipoint controller provides control functions to support conferences between three or more terminals. The multipoint controller carries out capabilities exchange with each terminal in a multipoint conference. The multipoint processor provides for the processing of audio, video and/or data streams including mixing, switching and other required processing under the control of the multipoint controller.

Furthermore, Krishnaswamy discloses a system utilizing H.324 terminals that may carry real-time voice, data, and video, or any combination, including video telephony. H.324 terminals may be integrated into personal computers or implemented in stand-alone devices such as videotelephones and televisions. Support for each

Art Unit: 2144

media type (voice, data, video) is optional, but if supported, the ability to use a specified common mode of operation is required, so that all terminals supporting that media type can interwork. H.324 allows more than one channel of each type to be in use. Other recommendations in the H.324 series include the H.223 multiplex (combination of voice, data and video), H.245 control, H.263 video codec (digital encoder and decoder), and G.723.1.1 audio codec.

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

Shaffer discloses a fault-tolerant H.323 multimedia system having an MCU in communication with multimedia terminals, with said terminals having MCU capabilities, such that the terminals are able to perform call signaling and control functions. Shaffer's disclosures are equally applicable to any network in which separate media and signaling channels are used, such as MGCP (Media Gateway Control Protocol), SIP+ (Inter MGS Protocol), SGCP, MEGACO and generally, any voice or multimedia over IP scheme. Further, it is noted that, while described specifically in the context of voice packets, the Shaffer's disclosure encompasses the use of any multimedia information, such as video, data, voice, or any combinations thereof.

Krishnaswamy and Shaffer are analogous art because they present solutions for multimedia systems using Media Control Units (MCU) to enable the communications between terminals supporting different multimedia protocols. It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to apply the teachings of Shaffer to enable the system described by Krishnaswamy to use the H.248/Megaco protocol, such that the MCU can use the H.248/Megaco protocol to communicate with its associated processor unit for interfacing the call signaling and call control functions between the said multipoint control unit and the multimedia terminals. The suggested motivation for doing so would be to enable the system described by Krishnaswamy to allow for multimedia multipoint communication over circuit-switched PSTN and VOIP networks. Furthermore, the H.248/Megaco protocol is compliant with Signaling System R2, which is an international signaling system within international regions, for international/domestic signaling.

Therefore, it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol to obtain the invention as specified in Claims 1 and 2.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure, as indicated on the enclosed PTO-892 form.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571)272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GCB



WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2400